

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

VICTOR VERNORD ROSE,)
)
Petitioner,)
)
v.) **No. CIV 10-131-JHP-KEW**
)
MIKE MULLIN, Warden,)
)
Respondent.)

ORDER AND OPINION
DENYING CERTIFICATE OF APPEALABILITY

Petitioner has filed a notice of intent to appeal the court's order entered February 18, 2011, denying his petition for a writ of habeas corpus. After a careful review of the record, the court concludes petitioner has not shown "at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). *See also* 28 U.S.C. § 2253(c).

Accordingly, petitioner is denied a certificate of appealability.

IT IS SO ORDERED this 26th day of April 2011.



James H. Payne
United States District Judge
Eastern District of Oklahoma